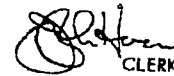


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

NOV 23 2015

  
CLERK

In the Matter of the Search of

No. 15-mj-83

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089

APPLICATION FOR SEARCH AND SEIZURE WARRANT "REDACTED"

E-mail accounts identified as:



@yahoo.com

and

@yahoo.com

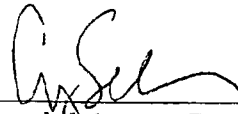
I, Craig Scherer, being duly sworn depose and say:

I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), and have reason to believe that on the property or premises known as:

Information associated with email accounts identified as @yahoo.com and @yahoo.com, that are stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue, Sunnyvale, CA 94089

there is now concealed certain property, namely: that described in Attachments A and B hereto, which I believe is property constituting evidence of the commission of criminal offenses, contraband, the fruits of crime, or things otherwise criminally possessed, or property designed or intended for use or which is or has been used as the means of committing criminal offenses, concerning violations of 18 U.S.C. §§ 1546(a) and 3238 (visa fraud).

The facts to support a finding of Probable Cause are contained in my Affidavit filed herewith.



Special Agent Craig Scherer  
Homeland Security Investigations

Sworn to before me, and subscribed in my presence on the 23<sup>rd</sup> day of November, 2015, at Sioux Falls, South Dakota.




VERONICA L. DUFFY  
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

NOV 23 2015

  
CLERK

In the Matter of the Search of

Case: 15-mj-83

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089

AFFIDAVIT IN SUPPORT OF SEARCH  
AND SEIZURE WARRANT "REDACTED"

E-mail accounts identified as:

@yahoo.com

and

@yahoo.com

STATE OF SOUTH DAKOTA     )  
  :SS  
COUNTY OF MINNEHAHA     )

I, Craig Scherer, being duly sworn on oath, depose and say:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) in Sioux Falls, South Dakota and have been duly employed in this position since December 2003. I am a graduate of the Criminal Investigator Training Program and ICE Special Agent Training Program at the Federal Law Enforcement Training Center. I have received specialized training pertaining to conducting criminal investigations, immigration and customs laws, investigative techniques, searching databases, conducting interviews, executing search warrants, and making arrests with respect to criminal violations of United States Code.

2. As a Special Agent, my current responsibility is assignment to the Federal Bureau of Investigation (FBI) Joint Terrorism Task Force (JTTF) in Sioux Falls, SD. I have been assigned to the JTTF since October 2014. I have successfully completed a two-week JTTF Operations and Counter Terrorism Investigations collaborative course. Prior to this, I was assigned to the Sioux Falls Area Drug Task Force for 10 years investigating drug trafficking organizations and their associated illicit financial transactions and electronic communications.

### **PURPOSE OF AFFIDAVIT**

3. I make this affidavit in support of an application for a search warrant for information associated with email accounts identified as [REDACTED]@yahoo.com and [REDACTED]@yahoo.com ("SUBJECT ACCOUNTS"), that are stored at premises owned, maintained, controlled, or operated by Yahoo! Inc., an email provider headquartered at 701 First Avenue, Sunnyvale, CA (the "PROVIDER" or "Yahoo! Inc."). The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Yahoo! Inc. to disclose to the Government records and other information in its possession pertaining to the subscriber or customer associated with the accounts, including the contents of communications described in Section II of Attachment B. Upon receipt of the information described in Section II of Attachment B, law enforcement agents and/or individuals assisting law enforcement and acting at their direction will review that information to locate the items described in Section III of Attachment B. Attachments A and B are incorporated herein by reference.

4. As described more fully below, I respectfully submit there is probable cause to believe that the information associated with the SUBJECT ACCOUNTS constitutes evidence or instrumentalities of criminal violations of 18 U.S.C. §§ 1546(a) and 3238 (Visa Fraud).

### **SUMMARY OF INVESTIGATION**

5. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that evidence of violations of United States Code are located within the SUBJECT ACCOUNTS.

6. I have received information from other law enforcement officers and sources of information by either verbal or written report. The officers and sources

providing information may have received the information by way of personal knowledge or from another source.

7. On [REDACTED] the Enforcement and Removal Operations (ERO) office in Rapid City, SD, contacted the ERO office in Sioux Falls, SD, regarding a law enforcement encounter with [REDACTED]. The following is a synopsis of the information.

8. On July 22, 2015, Rapid City ERO Deportation Officer (DO) Brabazon notified Sioux Falls ERO Supervisory Detention and Deportation Officer (SDDO) Cody that the Rapid City Police Department (RCPD) had encountered [REDACTED]

9. DO Brabazon provided SDDO Cody with entry and U.S. Visit records for [REDACTED]

10. Further record checks conducted by DO Brabazon located records for [REDACTED]

11. Additional record checks by SDDO Cody located a citation issued to [REDACTED]

12. I requested records from the RCDP documenting the encounter with

[REDACTED]

13. On August 13, 2015, [REDACTED] was arrested in Plankinton, SD, for [REDACTED]. The following is a synopsis of the events.

14. On August 13, 2015, SDDO Cody and I arrived and the [REDACTED]

[REDACTED]

15. SDDO Cody and I [REDACTED]

[REDACTED]

16. [REDACTED]

[REDACTED]

[REDACTED]

17.

[REDACTED]

18. After arriving at the Sioux Falls ICE office, I contacted [REDACTED]

[REDACTED]

19.

[REDACTED]

20.

[REDACTED]

21. [REDACTED]

22. I examined the Western Union receipts and noted [REDACTED]

23. [REDACTED]

24. I asked for and received consent to search [REDACTED]

25. SDDO Cody processed [REDACTED]

26. A review of the SIM card data located a contact listed as "[REDACTED]" under phone number [REDACTED]. Further review of the SIM card data located the following text messages from the contact "[REDACTED]":

Date: [REDACTED]  
Number: [REDACTED]  
Status: Read  
Type: Incoming  
Text: [REDACTED]@yahoo.com

Date: [REDACTED] (GMT+3)  
Number: [REDACTED]  
Status: Read  
Type: Incoming



Text:

Date: [REDACTED] (GMT+3)

Number:

Status: Read

Type: Incoming

Text:

27. A review of the Apple iPhone download located a video depicting

28. On August 21, 2015, I applied for and received a criminal complaint charging [REDACTED] with 18 U.S.C. §§ 1546(a) and 3238 (Visa Fraud), and a warrant of arrest was issued.

29. [REDACTED] was scheduled for an initial appearance on

30. On [REDACTED] was indicted in the District of South Dakota for 18 U.S.C. §§ 1546(a) and 3238 (Visa Fraud).

31. On September 14, 2015, I conducted record checks in FBI databases for information associated to suspected visa fraud ring leader [REDACTED]. The following is a synopsis of the information.

32. Information downloaded from

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

33. Record checks in DHS databases for [REDACTED] located subject records stating the DOS requested revocation of [REDACTED]

Another subject record listed an alias of [REDACTED]

[REDACTED]

34. On September 16, 2015, I spoke with DOS SA David Chin [REDACTED]

[REDACTED]

35. On September 21, 2015, I received DOS records relating to [REDACTED]

[REDACTED]

36. The records identified [REDACTED]

[REDACTED]

37. Record checks in DHS databases revealed [REDACTED]

[REDACTED]

38. Record checks in DHS databases revealed [REDACTED]

[REDACTED]

39. On [REDACTED]

[REDACTED]

40. The response from [REDACTED]

[REDACTED]

41. The response from [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

42. I believe based on the above, the date, and location of logins and limited number of logins, the email address [REDACTED]

[REDACTED]

43. Based on my training and experience knowing that persons who create and use multiple email addresses commonly do so for the purpose of anonymity and/or distancing themselves from law enforcement investigations.

44. Based on my training and experience, my knowledge of the investigation, and the information described above, I believe that the SUBJECT ACCOUNTS are likely to contain evidence relating to violations of 18 U.S.C. §§ 1546(a) and 3238 (Visa Fraud), in that the SUBJECT ACCOUNTS were likely used to communicate with others known and unknown, about the planning, facilitation and/or use of fraudulent documents and/or fraudulent statements to procure United States visas.

45. I believe the SUBJECT ACCOUNTS are likely to contain information regarding [REDACTED], and others' known and unknown, past actions, motivations, and future intentions.

## **TECHNICAL BACKGROUND**

46. In my training and experience, I have learned that Yahoo! Inc. provides a variety of online services, including electronic mail ("email") access, to the general public. Subscribers obtain an account by registering with Ymail, Yahoo!'s free, web-based email service. During the registration process, Ymail asks subscribers to provide basic personal information. Therefore, the computers of Yahoo! Inc. are likely to contain stored electronic communications (including retrieved and unretrieved email for Ymail subscribers and information concerning subscribers and their use of Ymail services, such as account access information, email transaction information, and account application information.

47. In general, an email that is sent to a Ymail subscriber is stored in the subscriber's "mail box" on Yahoo! Inc. servers until the subscriber deletes the email. If the subscriber does not delete the message, the message can remain on Yahoo! Inc. servers indefinitely.

48. When the subscriber sends an email, it is initiated at the user's computer, transferred via the Internet to Yahoo! Inc. servers, and then transmitted to its end destination. Yahoo! Inc. often saves a copy of the email sent. Unless the sender of the email specifically deletes the email from the Yahoo! Inc. server, or terminates the email account, the email can remain on the system indefinitely.

49. A Yahoo! Inc. subscriber can also store files, including emails, address books, contact or buddy lists, pictures, and other files, on servers maintained and/or owned by Yahoo! Inc.

50. Subscribers to Ymail might not store on their home computers copies of the emails stored in their Ymail email account. This is particularly true when they access their Ymail account through the web, or if they do not wish to maintain particular emails or files in their residence.

51. In general, email providers like Yahoo! Inc. ask each of their subscribers to provide certain personal identifying information when registering for an email account. This information can include the subscriber's full name, physical address, telephone numbers and other identifiers, alternative email addresses, and, for paying subscribers, means and source of payment (including any credit or bank account number).

52. Email providers typically retain certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service,

records of login (i.e., session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as logging into the account via Ymail website), and other log files that reflect usage of the account. In addition, email providers often have records of the Internet Protocol address ("IP address") used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the email account.

53. In some cases, email account users will communicate directly with an email service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. Email providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

54. In my training and experience, evidence of who was using an email account may be found in address books, contact or buddy lists, emails in the account, and attachments to emails, including pictures and files.

#### **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

55. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), by using the warrant to require Yahoo! Inc. to disclose to the Government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, Government-authorized persons will review that information to locate the items described in Section II of Attachment B.

#### **REQUEST FOR NON-DISCLOSURE**

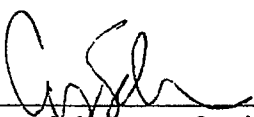
56. Pursuant to 18 U.S.C. § 2705(b), I request that the Court enter an order commanding the PROVIDER not to notify any person, including the subscribers of the SUBJECT ACCOUNTS of the existence of the warrant because there is reason to believe that such notification will result in: (1) destruction of or tampering with evidence; and (2) otherwise seriously jeopardizing the investigation. The investigation described herein is ongoing, and is not public, and I know, based on my training and experience, that persons who are engaged in the types of activities described above are likely to destroy digital evidence if they learn of any investigation. In addition, if Yahoo! Inc. or other person notifies the targets of the investigation that a warrant has been issued for the SUBJECT

ACCOUNTS these individuals are likely to further mask their activity, which may seriously jeopardize the investigation.

### CONCLUSION

57. This Court has jurisdiction to issue the requested warrant because it is "a court of competent jurisdiction" as defined by 18 U.S.C. §§ 2711, 2703(a), (b)(1)(A), and (c)(1)(A). Specifically, the Court is "a district court of the United States (including a magistrate judge of such a court). . . that - has jurisdiction over the offense being investigated." 18 U.S.C. § 2711(3)(A)(i).

Based on the foregoing, I request that the Court issue the requested search warrant.

  
\_\_\_\_\_  
Special Agent Craig Scherer  
Homeland Security Investigations

Sworn to before me, and subscribed in my presence on the 23<sup>rd</sup> day of November, 2015, at Sioux Falls, South Dakota.

  
\_\_\_\_\_  
Veronica L. Duffy  
United States Magistrate Judge



**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

This warrant applies to information associated with email accounts identified as [REDACTED]@yahoo.com and [REDACTED]@yahoo.com, that are stored at premises owned, maintained, controlled, or operated by Yahoo! Inc., an email provider headquartered at 701 First Avenue, Sunnyvale, CA.

**ATTACHMENT B**

**PARTICULAR THINGS TO BE SEIZED**

**I. Information to be disclosed by Yahoo! Inc.**

To the extent that the information described in Attachment A is within the possession, custody, or control of Yahoo! Inc., Yahoo! Inc. is required to disclose the following information to the government for each account or identifier listed in Attachment A.

- a. The contents of all e-mails stored in the account, including copies of emails sent from the account between approximately January 1, 2013, and the present.
- b. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the types of service utilized, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number).
- c. All records or other information stored by an individual using the account, including address books, contact and buddy lists, pictures, and files.

- d. All records pertaining to communications between Yahoo! Inc. and any person regarding the account, including contacts with support services and records of actions taken.

## **II. Information to be seized by the Government**

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. §§ 1546(a) and 3238 (Visa Fraud), involving [REDACTED], [REDACTED], since the creation of the email accounts listed on Attachment A, including information pertaining to the following matters:

- a. Any and all communications, including those deleted and/or archived, sent and received by email accounts [REDACTED]@yahoo.com and [REDACTED]@yahoo.com containing any part of the following names, dates of birth, or passport numbers:
  - a. containing any part of the following names, dates of birth, or passport numbers:

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
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[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- b. Records relating to who created, used, or communicated with the email accounts [REDACTED]@yahoo.com and [REDACTED]@yahoo.com, including records about their identities and whereabouts.
- c. Communications with the U.S. Department or State or Consulate Offices.

- d. Communications between [REDACTED] and others not yet identified, regarding communications, enticement, coercion, recruitment, instructions or attempts to commit acts of fraud.
- e. Information relating in any way to the transfer of items or money.
- f. Information related to bank account records, wire transfer records, bank statements and records, money drafts, letters of credit, and financial transfers.
- g. Information relating to or reflecting the purpose or motive for providing money or other assistance to individuals.
- h. Information relating to or reflecting [REDACTED] understanding or belief regarding the purpose or end use to which his assistance would be put.
- i. Information relating to or reflecting [REDACTED] understanding or belief regarding the location of potential coconspirators.
- j. Any other information tending to contradict or corroborate any statement made by any individual during their communications with law enforcement.

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Search of

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089

No. 15-mj-83

SEARCH AND SEIZURE WARRANT  
"REDACTED"

E-mail accounts identified as:

                    @yahoo.com

and

                    @yahoo.com

TO: ANY AUTHORIZED LAW ENFORCEMENT OFFICER

An application by a federal law enforcement officer or an attorney for the government requests the search of the following property:

Information associated with email accounts identified as                     yahoo.com and                     @yahoo.com, that are stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue, Sunnyvale, CA 94089.

I find that the affidavit, or any recorded testimony, establish probable cause to search the property described above and seize the property described in Attachments A and B hereto, and that such search will reveal evidence of the commission of violations of 18 U.S.C. §§ 1546(a) and 3238 (visa fraud).

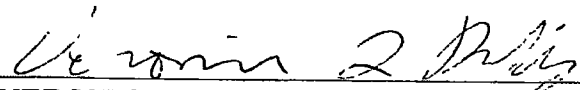
**YOU ARE COMMANDED** to execute this warrant on or before  
Dec 7, 2015 (not to exceed 14 days)  
☒ in the daytime - 6:00 a.m. to 10:00 p.m.  
☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the undersigned Judge.

- ☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized,
- ☐ for \_\_\_\_\_ days (*not to exceed 30*).
- ☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

11-23-15 1:55pm CDT at Sioux Falls, South Dakota.  
Date and Time Issued

  
VERONICA L. DUFFY  
UNITED STATES MAGISTRATE JUDGE



**ATTACHMENT A**

**PROPERTY TO BE SEARCHED**

This warrant applies to information associated with email accounts identified as [REDACTED]yahoo.com and [REDACTED]yahoo.com, that are stored at premises owned, maintained, controlled, or operated by Yahoo! Inc., an email provider headquartered at 701 First Avenue, Sunnyvale, CA.

**ATTACHMENT B**

**PARTICULAR THINGS TO BE SEIZED**

**I. Information to be disclosed by Yahoo! Inc.**

To the extent that the information described in Attachment A is within the possession, custody, or control of Yahoo! Inc., Yahoo! Inc. is required to disclose the following information to the government for each account or identifier listed in Attachment A.

- a. The contents of all e-mails stored in the account, including copies of emails sent from the account between approximately January 1, 2013, and the present.
- b. All records or other information regarding the identification of the account, to include full name, physical address, telephone numbers and other identifiers, records of session times and durations, the date on which the account was created, the length of service, the types of service utilized, the IP address used to register the account, log-in IP addresses associated with session times and dates, account status, alternative email addresses provided during registration, methods of connecting, log files, and means and source of payment (including any credit or bank account number).
- c. All records or other information stored by an individual using the account, including address books, contact and buddy lists, pictures,

and files.

- d. All records pertaining to communications between Yahoo! Inc. and any person regarding the account, including contacts with support services and records of actions taken.

## II. Information to be seized by the Government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. §§ 1546(a) and 3238 (Visa Fraud), involving Ihtisham [REDACTED], since the creation of the email accounts listed on Attachment A, including information pertaining to the following matters:

- a. Any and all communications, including those deleted and/or archived, sent and received by email accounts [REDACTED]@yahoo.com and [REDACTED]@yahoo.com containing any part of the following names, dates of birth, or passport numbers:
- a. containing any part of the following names, dates of birth, or passport numbers:

[illegible]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
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[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
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[REDACTED]

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[REDACTED]  
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[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- b. Records relating to who created, used, or communicated with the email accounts [REDACTED]@yahoo.com and [REDACTED]@yahoo.com, including records about their identities and whereabouts.
- c. Communications with the U.S. Department or State or Consulate

Offices.

- d. Communications between [REDACTED] and others not yet identified, regarding communications, enticement, coercion, recruitment, instructions or attempts to commit acts of fraud.
- e. Information relating in any way to the transfer of items or money.
- f. Information related to bank account records, wire transfer records, bank statements and records, money drafts, letters of credit, and financial transfers.
- g. Information relating to or reflecting the purpose or motive for providing money or other assistance to individuals.
- h. Information relating to or reflecting [REDACTED] understanding or belief regarding the purpose or end use to which his assistance would be put.
- i. Information relating to or reflecting [REDACTED] understanding or belief regarding the location of potential coconspirators.
- j. Any other information tending to contradict or corroborate any statement made by any individual during their communications with law enforcement.

FILED

NOV 23 2015

  
CLERK

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

In the Matter of the Search of

Case: 15-mj-83

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089  
E-mail accounts identified as:

@yahoo.com

and

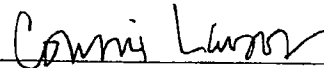
@yahoo.com

MOTION TO SEAL MATTER "REDACTED"

The United States hereby moves this Court for an order sealing this matter, in that this search is being conducted as a part of an ongoing investigation. Disclosure of information contained in the documents filed with the Court could jeopardize this ongoing investigation and/or result in possible witness intimidation.

Dated this 23<sup>rd</sup> day of November, 2015.

RANDOLPH J. SEILER  
United States Attorney

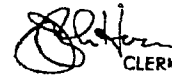


Connie Larson  
Assistant United States Attorney  
PO Box 2638  
Sioux Falls, SD 57101-2638  
Telephone: 605.357.2362  
Facsimile: 605.330.4410  
E-Mail: connie.larson@usdoj.gov

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

NOV 23 2015

  
CLERK

In the Matter of the Search of

Case: 15-mj-83

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089 E-mail accounts identified as:

@yahoo.com  
and @yahoo.com

ORDER SEALING MATTER "REDACTED"

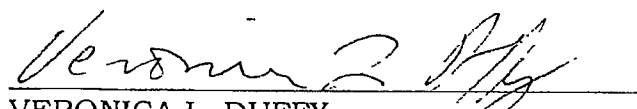
The United States having moved this Court for an order sealing this matter, and good cause having been shown therefor, it is hereby

ORDERED:

1. That this matter is sealed.
2. That the Clerk of this Court shall automatically unseal this matter after the passage of 180 days, subject to renewal, unless ordered otherwise by the Court.

Dated this 23<sup>rd</sup> day of November, 2015.

BY THE COURT:


  
VERONICA L. DUFFY  
UNITED STATES MAGISTRATE JUDGE



UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

FILED

NOV 23 2015

  
CLERK

In the Matter of the Search of

No. 15-mj-83

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089

**MOTION FOR NON-DISCLOSURE  
UNDER 18 U.S.C. § 2705(a) "REDACTED"**

E-mail accounts identified as:

@yahoo.com

and

@yahoo.com

The United States requests that, pursuant to the preclusion of notice provisions of 18 U.S.C. § 2705(a), Yahoo! Inc. be ordered not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this search warrant for a period of 90 days or until further order of the Court. Such an order is justified because notification of the existence of this search warrant would seriously jeopardize the ongoing investigation. Such a disclosure would give the subscriber an opportunity to destroy evidence, change patterns of behavior, notify confederates, or flee or continue his flight from prosecution.

WHEREFORE, it is respectfully requested that the Court grant the attached Order directing Yahoo! Inc. not to disclose the existence of the search warrant or the application except to the extent necessary to carry out the Order.

Dated this 27<sup>th</sup> day of November, 2015.

RANDOLPH J. SEILER  
United States Attorney



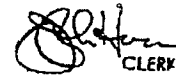
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UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

**FILED**

NOV 23 2015

  
CLERK

In the Matter of the Search of

No. 15-mj-83

All contents and electronically stored information within the following property, all currently stored at premises owned, maintained, controlled, or operated by Yahoo!, Inc., 701 First Avenue Sunnyvale, CA 94089

**ORDER "REDACTED"**

E-mail accounts identified as:

@yahoo.com

and

@yahoo.com

IT APPEARING that prior notice of this Order to any person of this investigation or this application and Order entered in connection therewith would seriously jeopardize the investigation;

IT IS ORDERED that Yahoo! Inc. shall not disclose the existence of the search warrant, the application, or this Order of the Court, to the listed subscriber or to any other person, for a period of 90 days or unless earlier authorized to do so by the Court.

Dated this 23<sup>rd</sup> day of November, 2015.

BY THE COURT:

  
Veronica L. Duffy  
United States Magistrate Judge